

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:	Confirmation No.: 6087
Chateau <i>et al.</i>	Group Art Unit: 1645
Application Serial No.: 10/781,499	Examiner: Khatol S. Shannan Shah
Filed: February 18, 2004	Attorney Docket No.: 2912956-028000
For: METHOD FOR THE PREPARATION OF AN EVOLVED MICROORGANISM FOR THE CREATION OR THE MODIFICATION OF METABOLIC PATHWAYS	

Mail Stop Sequence Listing
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT OF BIOLOGICAL DEPOSIT

Sir:

Per the Examiner's request, Applicants provide the following Statement regarding deposit number I-3005 deposited with Collection Nationale de Cultures de Microorganismes (CNCM) in accordance with the the Budapest treaty. Applicants also note that the Specification indicates that the biological material of Claim 39 has previously been deposited with the Collection Nationale de Cultures de Microorganismes (CNCM) and registered under the number I-3005. Specification, for example, at page 13. Consistent with the Examiner's request, Applicants confirm that:

(a) during the pendency of this application, access to the deposits will be afforded to the Commissioner upon request;

(b) all restrictions upon the availability to the public of the deposited biological material will be irrevocably removed upon the granting of a patent on this application ;

(c) the deposits will be maintained in a public depository for a period of at least thirty years from the date of deposit or for the enforceable life of the patent of or for a period of five years after the date of the most recent request for the furnishing of a sample of the deposited biological material, whichever is longest; and

(d) the deposits will be replaced if they should become nonviable or non-replicable.

Chateau et al.
Application No. 10/781,499

Docket No. 2912956-028000

Respectfully submitted,
Baker Donelson Bearman Caldwell & Berkowitz PC

Date: January 21, 2010

/David L. Vanik/
David L. Vanik
Registration No. 64,547

Customer No.: 84331

Susan E. Shaw McBee
Registration No. 39,294
Phone: (202) 220-3406
Fax: (220) 220-2213
Email: dvanik@bakerdonelson.com